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Serial No. 09/595,865

Atty. Docket No. RD28052

REMARKS

The Examiner has rejected claims 1, 3-19 and 21-28 under 35 U.S.C. § 102(e) as being anticipated by Hutsch et al. This ground of rejection is respectfully traversed.

Independent claim 1 recites a system for producing a process advisor application that comprises means for creating a decision tree; means for compiling the decision tree into a data file; and means for converting the data file into one or more computer viewable documents. Similarly, independent claim 19 recites a method for producing a process advisor application that comprises creating a decision tree; compiling the decision tree into a data file; and converting the data file into one or more computer viewable documents.

Hutsch et al discloses a network portal system designed to allow the universal and integral use of different services by arbitrary client systems. The Examiner contends that Hutsch et al describes the claimed means for creating a decision tree in paragraph [0029]. However, paragraph [0029] discusses a profiling service and a profiling service configuration file that includes a decision tree wherein the decision tree performs actions. Paragraphs [0237] and [0257] of Hutsch et al further describe that the profiling service analyzes a client request and decides the templates, JSP pages, servlets or Beans to be used by applying the decision tree. As such, Hutsch et al merely describes using an existing decision tree and does not describe creating a decision tree or providing a means for creating a decision tree, as required by claims 1 and 19.

The Examiner further contends that Hutsch et al discloses the step of, and means for, compiling the decision tree into a data file in paragraphs [0106] and [0637]. Applicant respectfully disagrees. While paragraph [0106] does mention a compiler, there is no indication that the compiler compiles the decision tree of the profiling service configuration file. Claims 1 and 19 require

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that the decision tree be compiled. Paragraph [0637] simply does not discuss compiling a decision tree into a data file.

Lastly, the Examiner contends that Hutsch et al discloses the step of, and means for, converting the data file into one or more computer viewable documents in paragraph [0086]. Paragraph [0086] describes an out-of-office user using the network portal system of Hutsch et al to review an e-mailed document with a PDA. While this would presumably entail converting some data into a "computer viewable document," there is no indication in Hutsch et al that a data file that has been compiled from a decision tree is converted into a computer viewable document.

Accordingly, applicant respectfully submits that Hutsch et al fails to disclose creating a decision tree; compiling the decision tree into a data file; and converting the data file into one or more computer viewable documents. Moreover, Hutsch et al does not involve a system or method for producing a process advisor application (i.e., an application that is a specific type of expert system that simulates the knowledge, judgment and experience in a decision making process of one or more persons) recited by claims 1 and 19. For the above reasons, Hutsch et al fails to anticipate independent claims 1 and 19.

Applicant further submits that Hutsch et al fails to anticipate claims 12 and 27 for the same reasons. Namely, claims 12 and 27 recite means for or steps of creating a decision tree; compiling the decision tree into a data file; and converting the data file into one or more web pages. For the reasons set forth above, Hutsch et al fails to teach these claimed features. Claims 3-11, 13-18, 21-26 and 28 depend from independent claim 1, 12, 19 and 27 and are thus believed to be allowable for the reasons set forth above.

The Examiner has rejected claims 2 and 20 under 35 U.S.C. § 103(a) as being unpatentable over Hutsch et al. This ground of rejection is respectfully traversed.

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The Examiner recognizes that Hutsch et al does not disclose using an off-the-shelf process mapping program but asserts that it would have been obvious to do so, taking "Official Notice" that an off-the-shelf process mapping program is old and well known. While not conceding that using an off-the-shelf process mapping program would have been obvious in the claimed system and method, applicant respectfully submits that Hutsch et al would not render the claims unpatentable even if it were obvious to use an off-the-shelf process mapping program. This is because there would still not be any suggestion of creating a decision tree; compiling the decision tree into a data file; and converting the data file into one or more computer viewable documents. In other words, Hutsch et al, even when modified in the manner set forth by the Examiner, would still fail to teach or suggest the requirements of independent claims 1 and 19.

In view of the above, it is submitted that the claims are in condition for allowance. Reconsideration of the objections and rejections is requested. Allowance of claims 1-28 at an early date is solicited.

Respectfully submitted,

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Date

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